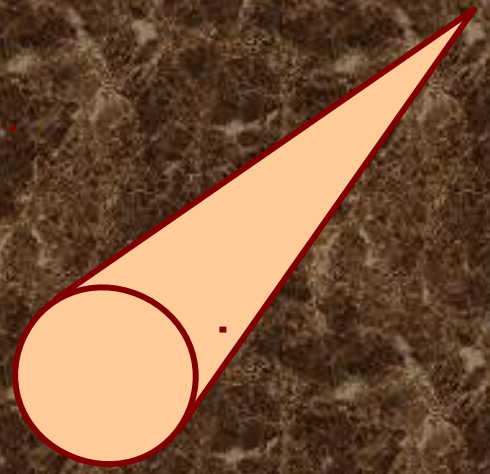
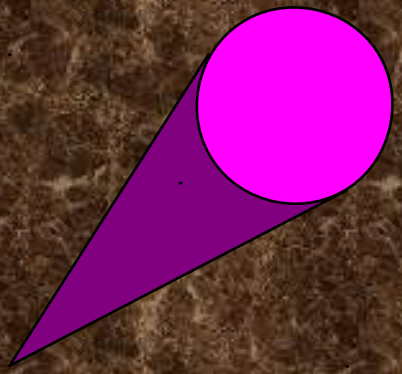
Headquarters, U. S. Army
INSCOM
FORT BELVOIR, VA

POSH

OVERVIEW

Legal and Regulatory Basis
Definitions
Associated Behaviors





Impact of Sexual Harassment
Responsibilities

OBJECTIVES

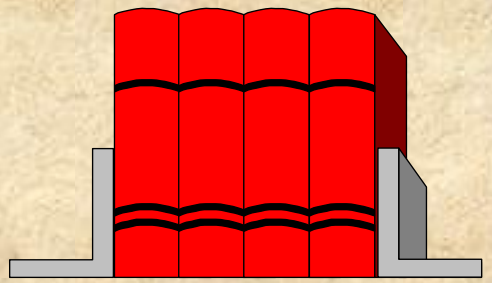
- To understand what constitutes sexual harassment
- To identify the costs of a hostile work environment
- To recognize and accept your role and responsibilitie

LEGAL AND REGULATORY BASES

There are two basic personnel structures -

Military

(Regulation)



Civilian

(Law)

Each has its own legal and regulatory bases governing job conditions.

LEGAL AND REGULATORY BASES (Cont'd)

Military

The Uniform Code of Military Justice (UCMJ)

Manual for Courts-Martial (MCM)

Department of Defense Directive 5[illegible]00.

Department of Army Regulation 600-[illegible]

LEGAL AND REGULATORY BASES (Cont'd)

Civilian

Title VII of the Civil Rights Act of 1964 (Amended i

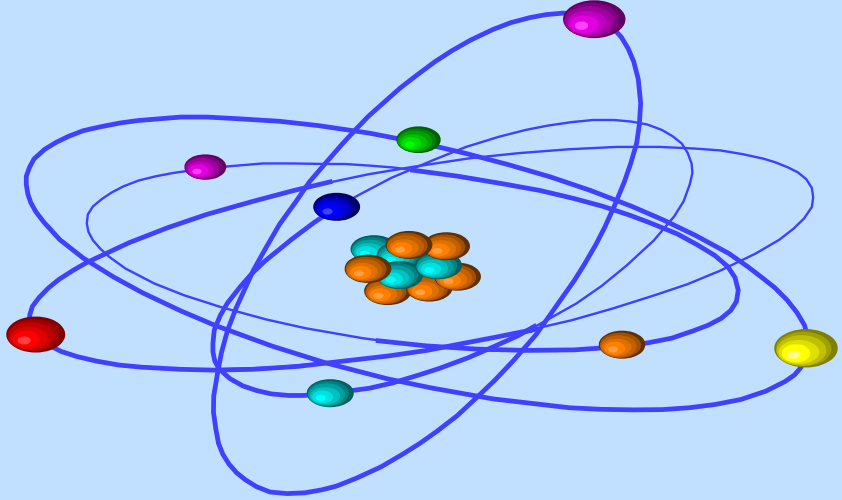
EEOC Guidelines on Sexual Harassment

Civil Service Reform Act of 1978

Civil Rights Act of 1991

Government Code of Ethics (U.S. Code, Title, Part

THE EVOLVING DEFINITION OF SEXUAL HARASSMENT

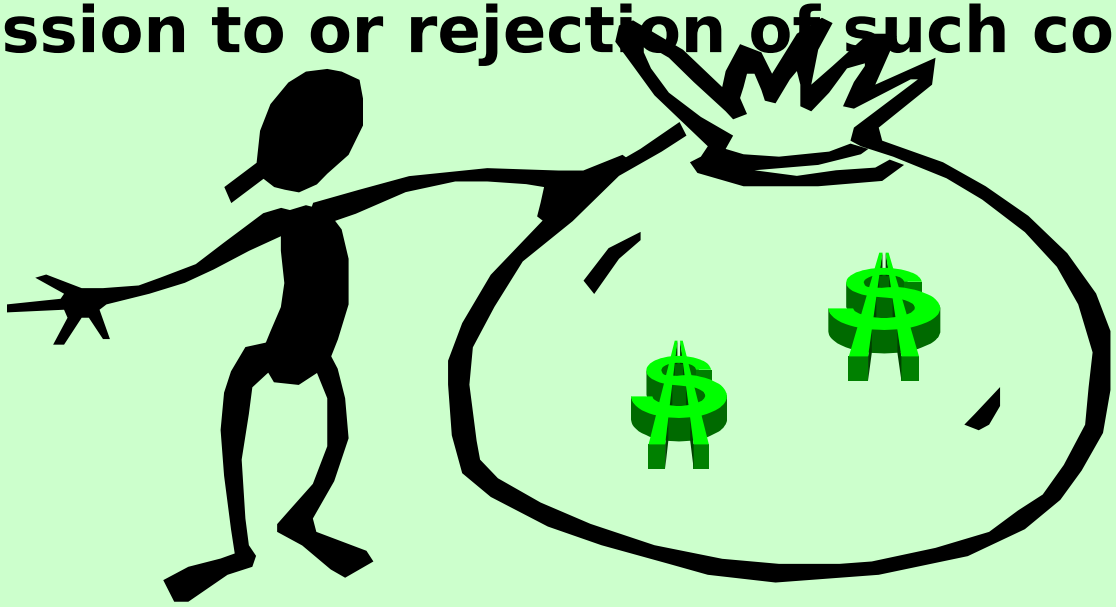


Influencing, offering to influence, or threatening the career, pay, or job of another person--woman or man--in exchange for sexual favors; or

Deliberate or repeated offensive comments, gestures, or physical contact of a sexual nature in a work or work-related environment.

TERMS AND CONCEPTS

Quid Pro Quo: Making the submission to unwelcome sexual advance or other verbal or physical conduct of a sexual nature a term or condition, implicitly, or explicitly, of an individual's employment. Basing employment decisions affecting the individual on his or her submission to or rejection of such conduct.



TERMS AND CONCEPTS

Hostile Environment: **Making unwelcome sexual advances or other verbal or physical conduct of a sexual nature with the purpose of, or that creates the affect of, unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.**

SEX DISCRIMINATION

Any practice or policy which results in differential treatment of an individual because of his or her gende

the exception to this i

<u>Bona Fide Occupational Qualification</u>
Gender is necessary for authenticity, genuiness, or normal operation of the iob.

SEX ROLE STATIC

Dear

Chum

Good ol'Boy

Unthinking, undirected, everyday, taken-for-granted remarks and actions based on gender stereotypes

Gal

Honey

Boy

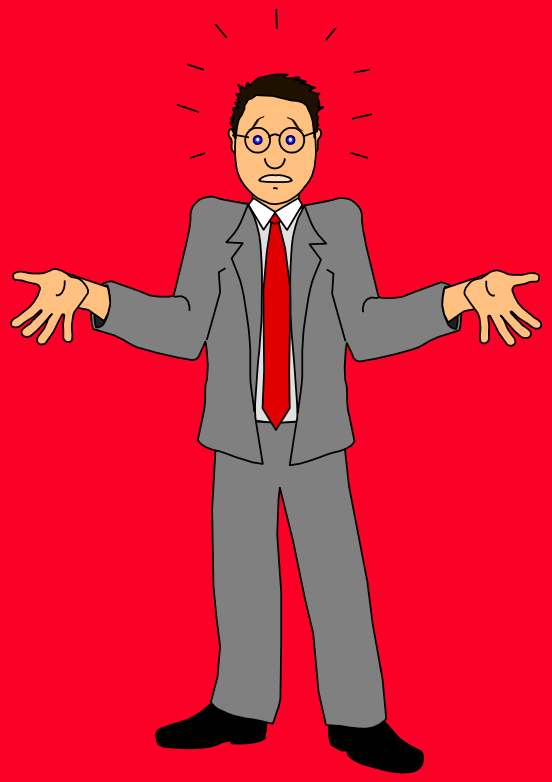
STEREOTYPE

A fixed, unchanging idea about someone or something which may have little relationship to fact

WARNING: The danger of stereotyping is that instead of reacting naturally in a situation, the individual reacts or behaves according to the stereotype!

SEX ROLE STEREOTYPE

Men are -



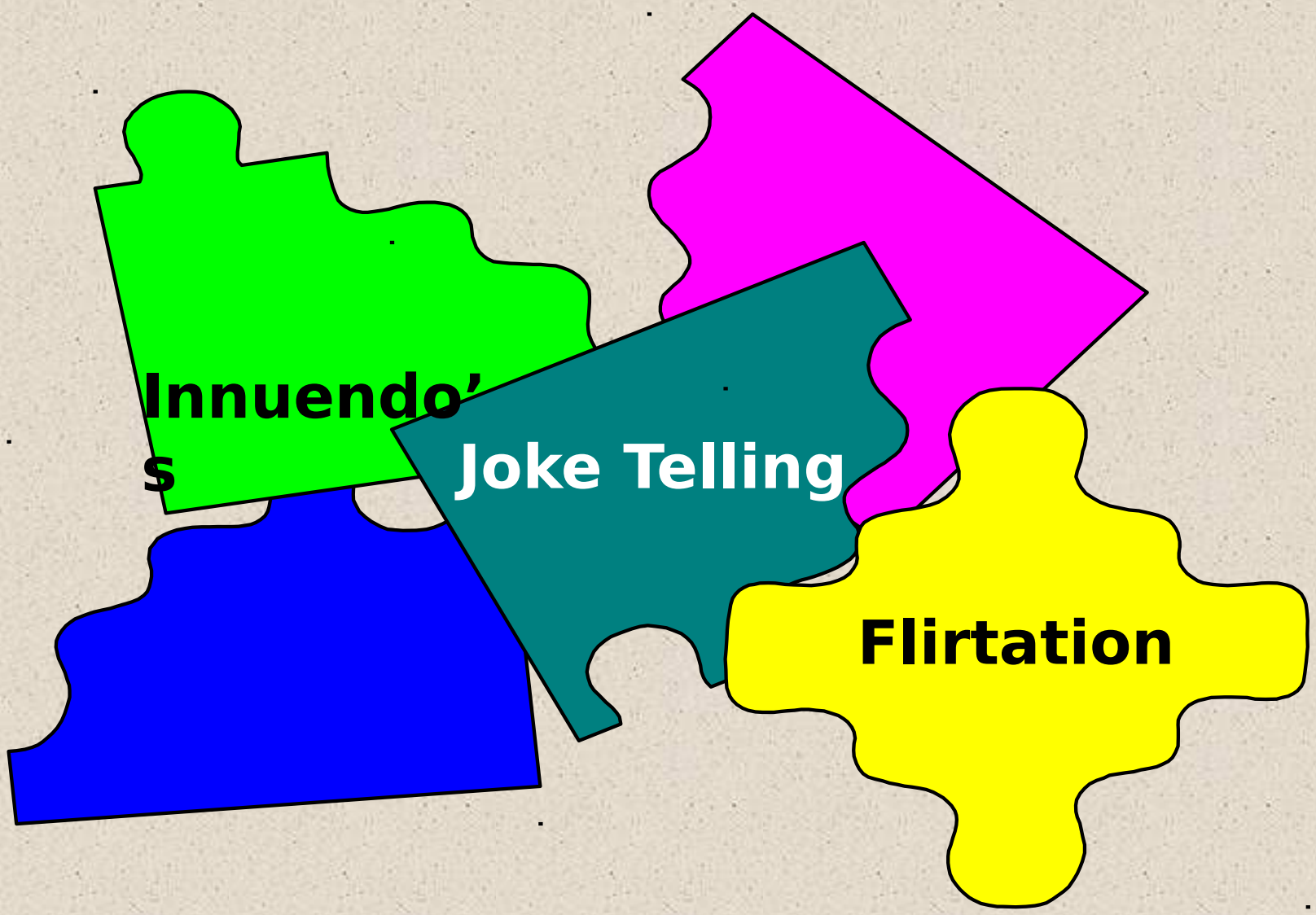
traditionally thought to be aggressive, independent, and unemotional simply because they are men

SEX ROLE STEREOTYPE

Women are -

thought to be nonaggressive, dependent, and emotional simply because they are women

SUBTLE FORMS OF SEXUAL HARASSMENT



¢OMMON MISCONCEPTION$

Relationship between accused and victim must be supervisor to subordinate

Sexual harassment must involve touching or other physical conduct

Victim must be the one against whom the unwelcome conduct is directed

Victim must prove an impact on tangible job benefits

Consenting to requests for sexual relations prevents sexual harassment

You cannot prove that sexual harassment took place

Sexual harassment can only involve opposite gender

BEHAVIORAL RESPONSES

Aggressive Behavior

Assertive Behavior

Nonassertive Behavior

ASSOCIATED BEHAVIORS

Verbal Sexual Harassment

Nonverbal

Physical

Criminal Behavior

VERBAL SEXUAL HARASSMENT

Personal inquiries unrelated to the work environment

Telling jokes with sexual connotations

Barking, growling, oinking or whistling at passerby which indicates your perception of their physical appearance

Sexually degrading language, profanity

Jody calls of a sexual nature

Promises of rewards or benefits for "cooperating"

NONVERBAL SEXUAL HARASSMENT

Leering, ogling someone's body; giving them the "once ov

Hanging around a person

Giving personal gifts

Leaving sexually oriented cartoons, pictures, letters, magazines in the work environment

Gestures made with intentional sexual overtones, such as: blowing kisses, licking lips, winking, and body movement

Touching or rubbing oneself inappropriately around another person

Adding sexually oriented pictures to presentations as attentio

PHYSICAL SEXUAL HARASSMENT

Standing close or brushing up against a perso

Touching

Bumpin

Patting

Hu

Cornering

Ki

Grabbing

Pi

Blocking Passageway

Playing Footsie/ Kneesie

Unsolicited back massage and knee rubs

CRIMINAL BEHAVIOR

Indecent Assault

Battery

Aggravated Assault

Rape

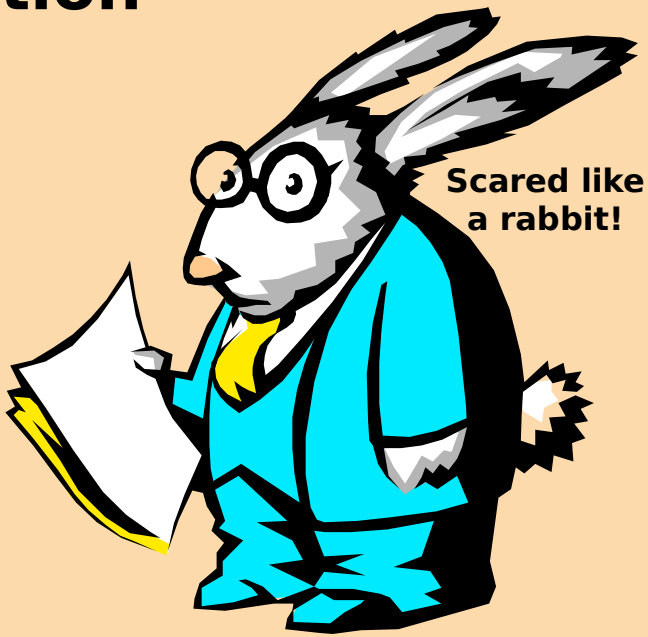
IMPACT ON THE MISSION

Performance
Absenteeism
Increase in Turnover
Mission Readiness

IMPACT ON THE INDIVIDUAL

Loss of position

Impact on performance appraisal



Loss of promotional opportunities

Psychological effects--physical & emotional

EMPLOYEE'S RESPONSIBILITIES

Tell the perpetrator to cease and desist!

If it continues, notify the chain of command

If it still persists, contact the EEO office or any EEO counselor

Observers of sexual harassment should bring it to the attention of an appropriate official

Document harassment and action(s) taken

LEADERSHIP RESPONSIBILITIES

Recognize your obligation and authority to create and preserve a work environment free from sexual harassment

Set the tone; be above reproach; ensure a positive and professional work environment

Be tuned in; adopt a “no-nonsense” mind-set

Take immediate action on observed or reported incidents

Counsel offender and document action(s) taken

EVERYONE'S RESPONSIBILITY

Know DA policy

Speak out

Set a positive example

Know your co-workers

Be aware of complaint channels

WORKPLACE INTEGRITY

IF YOU WOULDN'T WANT IT SAID OR DONE T
OR AROUND YOUR.....

PARENT
SIBLING
FRIEND
SPOUSE
OR YOUR CHILD

IT DOESN'T BELONG IN THE WORKPLACE!!